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February 27, 2018

Honorable I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Matthew Rizzuto, Plaintiff against Bill DeBlasio, et al
17-CV-07381-ILG-ST
Client Matter No: 105436.LA009

Dear Judge Glasser:

We represent the Legal Aid Society and Seymour W. James, individually and as Attorney in Chief for the Legal Aid Society. This letter is being written on behalf of all Defendants. Prior to writing this letter we had contacted Magistrate Judge Tisicone and requested a conference to discuss a pre-answer motion to disqualify Plaintiff's counsel on the grounds that New York Rules of Professional Conduct in particular Rule 3.7(a), state a lawyer shall not act as an advocate before a tribunal in a manner in which the lawyer may be a witness on significate issues of fact.

Thereafter we met with Magistrate Judge Tisicone and a schedule has been developed whereby all Defendants have until March 30th to submit its Motion papers and the Plaintiff has until April 30th to reply. In the event Plaintiff requires documentation a conference will be held on May 8th for that purpose.

The purpose of this letter is to confirm that the time in which the Defendants will have to move to make a substantive pre-answer motion and/or answer the Complaint is being extended until 30 days after the determination of the motion for disqualification.

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We trust that this request meets with your approval.

Respectfully submitted,


Peter I. Livingston

cc: Magistrate Judge Steven L. Tisicone
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Mr. and Mrs. Antupit
Counsel for all *pro se* Defendants

PIL:ms

*To Ordered
I.L. Livingston
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2/28/18*